

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:

CASE NO.:

BRYAN N. SODEN  
CATHERINE BRIDGET SODEN  
DEBTOR(S)

12-1765-8-JRL  
CHAPTER 13

---

MOTION TO SURRENDER PROPERTY

---

NOW COMES the Debtor, by and through counsel, and moves to surrender the following personal property:

1. Debtor's Personal Property:

All personal property referenced in Proof of Claim Number 11 filed by Capital One, NA still in the possession of Debtors.

Petition Value: \$300.00

Secured Claim: \$1,287.06

The Debtor requests that the Trustee make no further disbursements to the secured creditor, Capital One, NA.

DATED: 3/1/13

JAMES S. PRICE & ASSOCIATES, P.A.  
5725 Oleander Drive, C-3  
Post Office Box 3006  
Wilmington, North Carolina 28406  
Telephone: (910) 791-9422  
Facsimile: (910) 791-0432

BY: s/ James S. Price  
JAMES S. PRICE  
N.C. Bar No. 32304

*Attorneys for Debtor*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:

BRYAN N. SODEN  
CATHERINE BRIDGET SODEN  
DEBTOR(S)

CASE NO.:

12-1765-8-JRL  
CHAPTER 13

---

NOTICE OF MOTION

---

NOTICE IS HEREBY GIVEN of the Debtors' Motion to Surrender Property filed simultaneously herewith in the above-captioned case, a copy of which Motion is attached hereto; and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before March 18, 2013, unless otherwise ordered, you and your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: U.S. Bankruptcy Court, 1760-A Parkwood Blvd. West, Wilson, North Carolina 27893-3564. (As a Filing User of the Court's Electronic Case Filing System you may be required to electronically file a response). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy to the attorney whose name appears at the bottom or this notice, to the bankruptcy administrator, and to other parties in interest.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the Motion at a date and time and place to be later set and all parties will be notified accordingly. Any party filing a response to the Motion shall appear at any hearing in support of the motion or may be assessed with costs.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief.

DATED: **3/1/13**

JAMES S. PRICE & ASSOCIATES, P.A.  
5725 Oleander Drive, C-3  
Post Office Box 3006  
Wilmington, North Carolina 28406  
Telephone: (910) 791-9422  
Facsimile: (910) 791-0432

BY: s/ James S. Price  
JAMES S. PRICE  
N.C. Bar No. 32304  
*Attorneys for Debtor*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age, and that the

**NOTICE AND MOTION TO SURRENDER PROPERTY**

in the above captioned case was this day served upon the below named persons as follows:

By electronic service through CM/ECF:

By mailing, postage prepaid, first class mail, or by certified mail return receipt requested if indicated below, or by facsimile if indicated below, of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

Capital One, N.A.  
c/o Bass & Associates, P.C.  
Attn: Managing Officer/Agent  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712

Richard M. Stearns  
Chapter 13 Trustee  
1015 Conference Drive  
Greenville, NC 27858

Bryan N. Soden  
Catherine Bridget Soden  
7143 Ontario Road  
Wilmington, NC 28412

Dated: 3/1/13

JAMES S. PRICE & ASSOCIATES, P.A.

s/ James S. Price  
P.O. Box 3006  
Wilmington, NC 28406  
(910)791-9422